

**Decatur County Area Plan Commission
February Minutes 2021**

The regular scheduled meeting for the Decatur County Area Plan Commission was called to order by Paul Stone at 6:45 p.m. on Wednesday, February 3, 2021 at the Decatur County Emergency Management meeting room at 135 S Ireland Street. There were 7 board members present in the room. Joining via Zoom was Tom Hunter. Absent was Eric Whitaker. Also attending the meeting was Melissa Scholl – Area Plan Commission Attorney, Krista Duvall – Area Plan Director and Debbie Martin – Administrative Assistant

Paul Stone opened the meeting and read the following: *to comply with Title VI of the Civil Rights Act of 1964, Decatur County requests that participants in this meeting complete a voluntary, anonymous survey that is available on the table in the back of the room.*

*** Election of Officers**

Melissa Scholl opened the floor for nominations of the following:

President: Brad Schutte was nominated by Todd Mauer
Vice-President: Paul Stone was nominated by Todd Mauer
Secretary: Todd Mauer was nominated Brad Schutte

With no other nominations from the floor the nominations were closed a vote was taken for each office and all members present voted unanimously in favor of the nominations. The elections of officers were then closed.

*** Appointment to Board Zoning of Appeals Board**

Paul Stone nominated Brad Schutte to be the APC representation on the BZA board.

With no other nominations from the floor, the nominations were closed and all present voted in favor of Brad Schutte serving as the APC Representative for the 2021 year.

President Brad Schutte then presided over the meeting.

* The minutes of the December 2, 2020 regularly scheduled APC monthly meeting were approved as mailed.

* **APC Petition 2021-01 – Jesse Cameron** is requesting to rezone approx. 2.483 acres from an A-2 zoning classification to a B-2 zoning classification for construction of self-storage units. This request falls under Decatur County Ordinance Section Number 1125. The property is owned by the petitioner and is located just west of 3498 E Frontage Road, Greensburg in **Washington Township.**

Jesse Cameron: Most of the storage units in town are full and I needed to (inaudible) to build some out there. **Brad;** do you have any sort of general plan on how you are going to go about this? Basically with your layout that you have here, when you go this route, you are in a business so you will have to get your state approved plans and also required to handle drainage of this, per the County Drainage Ordinance. The layout that you have will restrict you a little bit

because you will have to do some retention and detention for what you are doing to this property. I'm just stating these facts and making it clear to you now so that you realize kind of what you are getting into here. **Jesse;** yes. **Paul;** one of the concerns I have is, if you are very familiar with the tendencies of the board, one of the things that this would require is what is referred to as spot zoning. If we would go out into an area that doesn't match current zoning and everything around this would be nothing business related, basically, we would essentially spot zone that property. We are here because of the zoning change, with no other B zones around this, that would require an anomaly basically and how we try to procedurally do that so that neighbors don't have 24-hour security lights on and potentially traffic in or out, things like that that we generally try to avoid putting businesses next to homes when we can. Obviously because that is not a black and white rule, that is why we are here. Just to understand that is I think the first step. **Brad;** referencing the overhead map, that is the general layout that he is proposing. Todd; how many storage facilities would that be? **Jesse;** that is just a rough guess on how they will lay out. I would measure off from the road and fence and so forth. Just a rough estimate I should be able to get 6-8 units. The big ones would be 30' x 100' and the smaller ones would be (inaudible). **Tom C.;** would this be fenced in, 24/7 hour access? Jesse; yes, there will be a gate and keypad. The triangle showing on the overhead map would be about where the fence would be.

Audience

Kipper Hull: I live at the house in the picture. As several board members have already asked, obviously we are concerned with safety, security, flood lights and the increased traffic on frontage road. A lot of our neighbors turn around that area, use it for walking their dogs, using their bikes taking a little ride down frontage road. We would hate to have increased traffic and increased wear and tear on the road itself, things of that nature. I researched the Comprehensive Plan; this contradicts what the plan is trying to accomplish. Zoning this as a commercial property when pretty much everything around it is agriculture and residential.

Christy Hull: I also am the neighbor of this property which we directly face. This may seem like a minor aspect but knowing that we spend a lot of time outside, any of the residents in the area that drive by know that we are outside in our yard a lot. Knowing that there is going to be extra traffic, the aesthetic and the view that we will no longer have is just one of the reasons why we decided to live in that area. I have a couple of letters to read from some neighbors in the area, and also for that reason because of the rural community and the aesthetics and the quiet neighborhood, chose to build their homes out there, are concerned of the changes. Read the following:

- We are writing this letter to express our strong opposition to allowing the land near the overpass on East Base Road in Greensburg to be rezoned and used to a storage facility. We chose to build our new home on East Base Road approximately four years ago because of the rural location and lack of commercial businesses. We have been extremely happy with our chosen location and can't think of a better place to live. The proposed location is unfavorable for both residents of the area and travelers along base road. A storage unit would bring undesired traffic to the area along with units that deter from the aesthetic of our rural community. There are many life-long residents of base road along with many recent new builds and new home buyers who chose this area for its location and lack of commercialism. This proposed facility would negate the positives of this location and in turn does not produce any benefits to our area. Thank you for your time and consideration of our opposition to the proposed rezoning. **Gene & Misty Cooney and Rick & Cheryl Caswell.**

- We are homeowners that live less than a mile from the proposed site where the storage rental building is being planned. This beautiful land is in a quiet area that is the perfect distance from town. There is not heavy traffic in this area. Homes were built in this area for the purpose of enjoying country living and the lack of city disturbances and problems. Here are some concerns regarding the building of “Proposed Storage Rental Buildings”.
1) this is right on I-74, on the overpass. Does illegal activity have an opportunity in this proposed area? Illegal activity can be shuffled up and down the hill if a vehicle pulled over to the side of the road on I-74. *(My husband Kipper and I can attest to that, we have had people come from the interstate, up the hill and over the fence, sometimes because they have just run out of gas but we know that it is easily accessible from the interstate?*
2) people who live in this community do farm, teach, etc. and go to bed early. Can the proposed storage unit builder guarantee that the community will not be disrupted?
3) does the person(s) that will be profiting from this have a home and family in our community? Or will this be a business venture for someone who does not have any investment in Greensburg or Decatur County. Sincerely, **Jill Wilson**.
- We are against the rezoning of the property on Frontage Road, Greensburg, IN. Thank you, **Terry Jennings**.
- We cannot be in person for the meeting regarding the storage units on east base, but would like to say we have strong reservations against this petition. We own storage units and in our experience these units create more trouble than good. When some people move out the amount of trash left is huge problems for the owners. Who will be responsible for this? We have also found if not monitored daily there will be people looking for opportunities for theft. We’ve also had some trying to live in the units. We’re not sure of the specifics of this particular unit but without proper supervision and security this will be a big problem for all of our resident. We vote no. **Tom & Paula O’Mara**.

Christy; we are concerned about not only that those letters say it is a quiet rural area, we are afraid of losing that. We are also afraid of what is going to happen to our property values. I know some people would say that it’s not going to change anything but when you walk out your front door and look at it, it will change the value of your property. And just having our kids outside playing and knowing that we would be concerned about them being outdoors and being safe. It’s a big issue for us.

Bill Robbins: I represent Robbins Farms, LLC, our farm is located north of the proposed site. I would just point out three things that are concerning to me. 1) it’s a residential area and they are proposing to rezone it business, it’s been my experience that the use of the property sometimes change but the zoning does not change. 2) within the philosophical realm, this is a pretty good example of spot zoning, which is one thing that I think the board tries to (inaudible) if it can do that. 3) the whole neighborhood is overwhelming residential and it is spreading eastern along base road and as I can recall there is probably only one business that is there, it has been there for years and years, that would be Burkhart Wrecking, I believe that one is grandfathered in. So for those three reasons I would ask the board to deny the petition.

Mark Ferguson: I live less than a mile from the proposed storage units and I just am not in favor of it for many of the reasons that Christy has pointed out. I also know that it is used a lot by people walking. I personally have horses and I ride that road back there to avoid the traffic and people. I just think that with more traffic, without anyone there to supervise, whether it is gated, people will still be able to get in there. I moved out there 20 some years ago, it is residential, it is farmland and we would like to see it stay that way.

Arthur Alunday: I am a resident of the area, these are my neighbors, we live down the road about ½ mile, I came here about 27 years ago, we have been living out there for about 20 years. It has been enjoyable; we don't see much of our neighbors but they are all here tonight. Because, as Bill said this is an agricultural community as well as residential. The only other business that I have seen in the Burkhart's, they have been there for years and years. You drive down base road coming from 46, there is not a single commercial business until the Burkhart's, and beyond that there is nothing. My three-year-old grandson and I walk down that road any time of the day, not in the night, I do not want to see him walking when there are cars and trucks in and out of that driveway there. If you notice that curve, people come barreling down that road, there is often times, if I'm not careful, they are running 40, 50, 60 mile per hour around that curve. I can't see, I don't want to see more traffic coming into that area. And these poor people right here, the Hulls, look at that, that driveway if right in front of their house. That is not what they came out here for, that is not what we came out here for. Decatur County has been gracious to us and very good to us, we appreciate that. Plus, the road is falling apart, it's not made for all that heavy traffic that will be coming in. You go down the rest of our road, it's all pot holes there, well they fixed it this week. The road wasn't made for heavy commercial traffic, it's made for some farmers and for an occasional residential automobile. I'm asking you to consider what the community is and what your goal is, to have a storage unit here that is not supervised or glaring lights or anything, I'm worried about these folks, that their home is going to be vandalized. That's my concern, and walking up this road and not enjoying it like we have been, I have had other people come down the road as they have said so please consider this is a residential area, we would like to keep it the way it is, we want to keep it the way it is, whatever means.

Ryan Hart: Just recently my wife and I bought some property, just across the interstate, we actually had that rezoned. We are in the process of building, we decided to build there, it's a great area, it's close to town, an agricultural area. We know it's a great area to live in with great neighbors. We want love the aesthetic of the area; I would hate for that to be ruined by storage units. The increased traffic, the lights and just having to look at these ugly storage units all the time, as bad as I think it would be for us where we are building at now, I'd hate to think about what it's going to be for the Hulls across the interstate from us. Just to share one quick story, talking about increased crime in the area, with any new construction you hear stories of people coming along and trying to take construction supplies and tools from places. We had an instance of that a few weeks ago, we had somebody coming up and asking a lot of questions and scoping out the area, and then as we were leaving in the evening after we were done working, we saw the same guy creeping up a farm lane, he was ready to come back after he left and take whatever he could get his hands on. So, as soon as I heard these storage units were coming up here, it's the first thing that come into my mind. People renting storage units, not familiar with the area, they come out there and they see all these beautiful homes out here and not much else around, it just kind of makes a person leery. With the other people that have come up here tonight, I would please as to reject this.

Jeff Miller: I live on the other side of the overpass, I'm just here to support my neighbors and friends and everybody, keep our neighborhood quiet like it has been without the extra traffic, and I know that people fly on both sides of the overpass. As I was pulling in, I noticed there are some storage units over here and I saw a semi backed up unloading, I was wondering how that would work in a situation also.

Brad read 2 letters that were emailed to Krista:

- 1) **Pat Kinker:** I live just east of the 2.483 that is being petition to rezone to B-2 for self-storage units. I must say I very much oppose the rezoning of this ground. 1) this is scrub ground, if surface is changed drainage could be an issue. 2) Safety concern –

traffic at corner of Base Road and Frontage Road. 3) I believe nothing good will come with these units.

- 2) **Marc & Michelle Hellmich:** Regarding APC Petition 2021-01 Jesse Cameron requesting to rezone from A-2 to B-2 for the construction of self-storage units. We are totally against this. The location is not suitable for self-storage units. For the following reasons: increase traffic, parking, and turn around on the frontage road, 24-hour access, lighting, headlights and noise affecting adjoining neighbors, safety concerns, increased chance of theft of the units and adjoining neighbors and decreased property values.

Tom Cherry made a motion to vote on APC 2021-01; Sheila Kirchhoff seconded the motion with all members present and on Zoom voting no.

* **APC Petition 2021-02** – Matthew **Stone** is requesting to subdivide up to approx. 8 acres out of 41 acres and rezone approx. 2.99 acres from an A-1 zoning classification to a A-2 zoning classification for construction of a single family detached dwelling. This request falls under Decatur County Ordinance Section Number 920(7) & 915. The property is owned by Bruns Legacy/Susan Jost and is located just north of the intersection of County Rd 820 S & County Rd 150 E, Greensburg in **Marion Township**.

Matt Stone: The current plot of the property is 41 acres, what we are looking at is approximately 7-8 acres in the southwestern corner of that lot. We will have approximately 200' of road frontage on 150 E. The plan is to build a single-family dwelling with a pole structure. **Brad;** are you looking at a well? **Matt;** that is probably the most feasible option, Rural Water is at least ½ mile from the property, there is no good way of getting to that property unless I get easements from adjoining properties to run my own private line. Then, if I do that my meter base will sit on someone else's property and I'm just not real fond of that so it will most likely be a well. **Brad;** to give the board an idea, this is a very rough piece ground. **Matt;** it has some slope to the south side of the property, so, I don't have the numbers on the top of my head, I know who farms it and the yields aren't great, you are looking at approximately 5 acres of wooded area and about 2.5-3 acres of current crop land. **Paul;** where will the parcel line be drawn at? **Matt;** the 8 acres, a rough guess now is about 1000' in off of 150 E and then 340' to the north of the bottom parcel line. **Tom C;** will that continue to be farmed? **Matt;** the rest will be farmed. **Brad;** where he is putting his house, you cannot make a full pass with the planter due to the septic location. It kind of fits what we are after, we are not hurting much farm ground.

Sheila Kirchhoff made a motion to vote on APC 2021-02; Jeff Hermes seconded the motion will all members present and on Zoom voting yes. Brad; thanks Matt, make sure you stay in touch with everyone in the office.

* **Bryan Robbins** – Executive Director, Economic Development Corporation of Greensburg / Decatur County.

Brian Robbins: I am here tonight to ask for something that would help to prepare our community and out county for the future. That is a Solar Ordinance. A solar company that you have probably read in the paper, or very active in our region, in our state, in the Midwest in general, and it's not a matter of if but a matter of when. Currently I think that the ordinances are in the process of being approved, I think they cover wind pretty well but I don't think they touch solar. In order for our community to not only, be prepared, but also benefit, have a current action that would be a mutual benefit both a company, a property owner and a community I think we need to have some guidelines in place for that sort of development. So what I'm asking the

board here is we can possibly make some moves toward that end. Expedite it if possible because they are coming. I have been in contact with Krista, I have talked to Paul and sent them some possible template ordinances from other communities that have been quite successful. I think if we are proactive in that sense, we can get an ordinance that actually will work for everybody involved, rather than being caught on our heels and having to deal with a project that leaves us a missed opportunity. I would be more than willing to help out in that process, I know you guys have plenty to do as it is, I would love to hit the ground running, be able to do some back end work, what have you, to help the process be expedited and as smooth as possible. If anyone has questions, I'm not at liberty to talk too much. **Brad;** I would definitely be interested; I have had two landowners that I rent ground off of who have looked very deeply into this. There is a lot of questions around it and I definitely agree that we need to address this and get a plan together, because you are right, it is coming. **Krista;** I have been working the last few weeks, I have been looking at the solar ordinances for a long time but the last couple of weeks after Bryan sent me an email and a couple of model ordinances, which have a lot of good information and good ideas, so I hope to have by the next meeting a Solar Ordinance for the board to look at. I just want everyone to know that I am writing this ordinance based on the Comprehensive Plan. Which says "the County discourages large scale commercial development of alternative energy sources. While we support small, personal solar, we have a lot of people putting solar on their roofs, in their yard, small solar cells for their home and their children's home. The way that I am writing it and present is according to the Comprehensive Plan. We encourage personal onsite, alternative energies; however, we discourage, we don't ban them or forbid them, but we discourage the large scale solar because we are an agricultural community. **Brad;** and interestingly enough, that is what kind of caused those deals to fizzle was that they want large scale blocks. **Bryan;** I think that (inaudible) in the Comprehensive Plan, but that would be something in our ordinance that we could define, (inaudible). These are the kinds of things that we need to have in place as soon as possible so that we are prepared and everybody knows what will be expected.

With no other business before the board the meeting was adjourned at 7:27 p.m.

ATTEST

Secretary, Todd Mauer

Decatur County Area Plan Commission

President, Brad Schutte

Decatur County Area Plan Commission